



City of Albuquerque

Legislative File Number R-06-86 (version 1)

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## **CITY of ALBUQUERQUE SEVENTEENTH COUNCIL**

Adopting The Volcano Heights Sector Development Plan As A Rank 3 Sector Development Plan; Amending The Zone Map As Specified In The Volcano Heights Sector Development Plan; Approving Changes To Identified Plans; And Providing Guidance, A Work Program, And Potential Funding Sources To Carry Out These And Other Actions.

## **CITY of ALBUQUERQUE SEVENTEENTH COUNCIL**

WHEREAS, the Volcanic Escarpment of the Northwest Mesa has long been considered a unique landscape that requires special protection; and

WHEREAS, the City Council adopted Bill No. F/S R-04-145 on October 4, 2004 that stated that “the City should amend the Northwest Escarpment Plan or commission a new sector development and/or redevelopment plan for the area that addresses issues that include, but are not limited to, transportation, drainage, water and wastewater, land uses, view corridors, building height, massing and orientation, walls, parks, trails and open space, phasing and timing of growth”; and

WHEREAS, in the same legislation, the City Council indicated “a planning study for use as the basis for an amendment to the existing plan or a sector development and/or redevelopment plan can be completed in approximately six months”; and

WHEREAS, a consulting team consisting was selected to carry out the planning study; and

WHEREAS, a significant effort has been made to meet with stakeholders in the Planning Area on the Northwest Mesa, identify options for future development in the Area, conduct a community Design Workshop, summarize and refine the input received at the Workshop, write the *Volcano Heights Planning Study Report* describing a

Concept Plan for the future of the area, and place the *Report* on the City Council's web site to obtain reactions from the public; and

WHEREAS, the *Volcano Heights Planning Study Report* found that “Subdivisions are being approved piecemeal without the guidance of an overall plan that could improve sustainability”, implying that the adopted policies have been generally ineffective in guiding growth there; and

WHEREAS, the City Council adopted Bill No. R-05-263 (Enactment R-2005-052) on April 4, 2005 that received the *Volcano Heights Planning Study Report*; and

WHEREAS, key findings of the *Volcano Heights Planning Study Report* included the following:

(1) “Build-out exclusively with single-family residential subdivisions [in Volcano Heights] will exacerbate jobs/housing imbalances on the west side, adding to traffic demands and increasing the burden on west side and east-west transportation systems. Without adequate provision of employment, greater trip internalization, and more emphasis on transit-supportive nodes on the west side, traffic congestion and demand for expanded river crossings will only increase,

(2) The Albuquerque Metropolitan Planning Area's Long Range High Capacity Transit System map does not yet recognize the need to extend high-capacity transit facilities into the [Volcano Heights] Plan Area or other new growth areas. Transit-supportive densities and design in the Plan Area would justify such consideration,

(3) The open space that exists within and adjacent to the [Volcano Heights] Plan Area is not consolidated into an overall connected and consolidated network. Drainage channels are not being used to their potential as walking and biking trails that could link the natural open areas. And subdivisions in some cases are not following the City's requirement per EC-35 for dedicating 30% permanent common open space,

(4) The Monument has miles of edge and adjacent private lands are in a natural state. Currently, people access the open space anywhere along the edge and can take in exceptional views of the volcanoes, the Rio Grande valley, and the Sandia mountains. New development could block this physical access and the views, greatly reducing the value of the open space amenity to the public at-large”; and

WHEREAS, Bill No. R-05-263 stated: “The City finds that the Volcano Heights area,

due to its location, size, geology, and cultural history, currently is poised in a delicate balance between either making a impressive contribution to Albuquerque's quality of life or adding problems of urban sprawl, monotonous subdivision development, and west side traffic congestion. The threat to the community's quality is due to shortcomings that affect Albuquerque in a more general way. These include the absence of effective plans and policies to guide growth, lack of community building development regulations, constraints on achieving mixed use development and jobs/housing balance, fragmentation of governmental land use controls and utility provision, piece-meal approval of development, and weakly integrated local government and school district planning”; **and**

**WHEREAS, Bill No. R-05-263 directed the City to continue planning efforts, established a work program, and appropriated funds for these efforts, which legislation stated that, beginning with findings of the *Volcano Heights Planning Study Report*, Council Services should direct an effort to “draft amendments to the West Side Strategic Plan (a Rank 2 Area Plan)” and “[d]raft amendments and coordinate review and adoption of the amendments to the Zoning Code, Subdivision Regulations, Development Process Manual, and others as needed that provide for new mixed use land use zones, design standards, and development standards such as for roadways and storm water facilities, and so on”, and “[c]reate growth management regulatory tools that are consistent with the Volcano Heights Guidance Policy and the West Side Strategic Plan amendments”; and**

**WHEREAS, contracts were executed near the beginning of June 2005 with the Plan Team to carry out these efforts; and**

**WHEREAS, a number of meetings were held subsequently with governmental departments and divisions including City Transit, Municipal Development, Parks and Recreation, Open Space, Planning, Hydrology; City of Rio Rancho transportation; Mid Region Council of Governments, Albuquerque Metropolitan Area Flood Control Authority, Albuquerque Bernalillo County Water Utility Authority; Albuquerque Public Schools, the State Land Office, the**

State Department of Transportation; and others; and

WHEREAS, based on these meetings a contract was executed with a national transportation engineering firm of to model the Volcano Heights transportation network and, if appropriate, help design an Urban Boulevard along Unser and Paseo del Norte at the Volcano Heights Town Center; and

WHEREAS, a number of meetings were held with property owners in the Volcano Heights area, other stakeholders such as neighborhood associations and coalitions, and pedestrian, bicycle, and transit advisory groups; and

WHEREAS, the planning efforts led to the *Volcano Heights Sector Development Plan*, which draft plan was made available for review and placed on the City Council's web site in mid-May 2006, and nearly 1,500 public notices were mailed to registered property owners in Volcano Heights; and

WHEREAS, by producing this sector development plan in less than one year, the Plan Team has condensed considerably the time needed for planning efforts and cut expected costs substantially; and

WHEREAS, under the Trend forecast of growth in the Volcano Heights Planning Area and in adjoining areas on the Northwest Mesa (e.g. Ventana Ranch, Quail Ranch), there may be 105,000 additional residents there; and

WHEREAS, there are a large number of already adopted City policies that are intended to direct development in the Volcano Heights Area in the Comprehensive Plan, Planned Growth Strategy (PGS), West Side Strategic Plan, the Northwest Mesa Escarpment Plan, and EC-35; and

WHEREAS, some of these key City policies include building “community” where citizens can live, work, shop, play, and learn together; allowing a full range of urban land uses; organizing the land uses within mixed-use and higher density (height, mass, and volume) Activity Centers, Community Centers and Neighborhood Centers; Centers are to include shopping, schools, employment, entertainment, civic uses, parks / plazas; providing for a wide variety of housing choice including multi-unit housing and affordability, clustering housing to provide more open space; providing significant public

open space; implementing a system of neighborhood parks; providing opportunities for large-scale employment, concentrated in Activity Centers, so that cross river trips are minimized; establishing development design guidelines including muted colors and low reflectivity; balancing land use and transportation systems so that transit is supported, especially in Centers and Corridors; increasing attractive transportation mode choice including walking, biking, transit, HOV; preserving the basalt flows and escarpment; preserving and protecting the Petroglyph National Monument; considering as an entire unit the escarpment, volcanoes, the mesa top, and the arroyos; prohibiting continuous perimeter walls; connecting open space features; creating a multi-purpose network of open space area and trails along arroyos; treating arroyos in a naturalistic way; protecting and enhancing unique vistas; utilizing native vegetation; creating planning links associating development with transportation and new school facilities; and

- WHEREAS, the proposed *Volcano Heights Sector Development Plan* is consistent with the policies contained in the Comprehensive Plan, Planned Growth Strategy (PGS), West Side Strategic Plan, and the Northwest Mesa Escarpment Plan; and

WHEREAS, the existing zoning in the Volcano Heights area (almost entirely R1, RD, RO20, and A1) will result in development that will fail to meet the policies contained in Comprehensive Plan, Planned Growth Strategy (PGS), West Side Strategic Plan, and the Northwest Mesa Escarpment Plan.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE THAT:

Section 1. The City Council and the Environmental Planning Commission met in joint sessions on June 5 and June 15, 2006 to to review and act upon the *Volcano Heights Sector Development Plan*. At these meetings, both bodies obtained public comments and protests and determined appropriate findings and conditions pursuant to the adoption of the *Sector Development Plan* and

related zone changes.

Section 2. The Environmental Planning Commission adopted the following findings and conditions at these meetings [SUBJECT TO REVISION]:

**A. EPC Findings.**

1. The Volcano Heights Sector Development plan is consistent and compatible with the relevant policies contained in the Albuquerque / Bernalillo County Comprehensive Plan.

2. The Volcano Heights Sector Development plan is consistent and compatible with relevant policies contained in the Planned Growth Strategy.

3. The Volcano Heights Sector Development plan is consistent and compatible with relevant policies contained in the West Side Strategic Plan.

4. The Environmental Planning Commission especially notes the consistence of the Volcano Heights Sector Development Plan with the Comprehensive Plan requirement that areas such as Volcano Cliffs “should be reassembled or sector planned before . . . service extension is assured” and West Side Strategic Plan Policy 7.24 that provision of urban infrastructure to Volcano Cliffs prior to 2015 to 2035 should be conditional on cluster housing, xeriscape landscaping, water conservation regulations, and possibly necessary assembly of multiple owners' lots.

5. The Volcano Heights Sector Development plan is consistent and compatible with relevant policies contained in the Northwest Mesa Escarpment Plan.

6. The zone map changes proposed in the Volcano Heights Sector Development Plan comply with the requirements of Resolution 270-1980 based upon “changed conditions” and “community benefit”.

7. The Environmental Planning Commission strongly supports the Urban Boulevard design for portions of Paseo del Norte and Unser as they adjoin the Volcano Heights Town Center.

**8. Several governmental plans, policies, and program will need to be amended, supplemented, or otherwise modified in order to implement the Volcano Heights Sector Development Plan. These are addressed in Conditions below. It is especially important that the City of Albuquerque act in a rapid fashion to carry out recommendations to acquire lands for parks, open space, storm drainage, and roadways.**

**9. The Environmental Planning Commission strongly supports dedicated transit / HOV lanes for the Paseo del Norte and Unser systems. The EPC recognizes that dedicated transit and HOV lanes are major west side arterials are necessary to obtain consumer acceptance of a commuter transit / high capacity transportation system and avoid grid lock especially at the Rio Grande crossings.**

**10. The Environmental Planning Commission supports the outlined process to link residential development with the availability of new school facilities. This system addresses a long-standing problem of urban growth on the west side. The EPC encourages the APS to adopt this approach.**

**11. The City should review Comprehensive Plan Policy 5.i to provide for flexibility and choice in the built environment that may involve varying degrees of consumer tolerance for noise, lighting, traffic, and so on. It should be recognized that some individuals are willing to accept higher levels of these environmental qualities in order to live in more dense and active mixed-use places.**

**12. The City is strongly encouraged to develop financing methods so that funds can be expended for land acquisition needed for open space, parks, transportation, storm drainage, and so on as called for in the Volcano Heights Sector Development Plan in advance of the collection of impact fees for these purposes.**

**13. The City should considered amending the West Side Strategic Plan policies to support or allow: (a) Main Street designs; (b) more flexibility to locate Neighborhood Centers on Principal Arterials under**

pedestrian oriented design standards; (c) recognizing that a “grid” transportation may be preferred for system design; (d) locating civic, cultural, and community building within Community Centers, Neighborhood Centers, and Main Streets and removing the recommendation that they be located in Employment Centers; (e) providing greater flexibility for locating schools in parks adjacent to open space corridors.

14. The traditional path from the Piedras Marcadas Arroyo through the volcanic cap presumably to the North Geologic Window has not been fully incorporated into the land use plan in the Volcano Heights Sector Development Plan.

15. While the Volcano Heights Sector Development Plan is consistent with the policies in the North West Mesa Escarpment Plan, there are a number of development regulation in the Escarpment Plan related especially to the Conservation Area and the Impact Act that should be reviewed for inclusion or otherwise integration into the Sector Development Plan.

16. The maps and text pertaining to Open Space, Scenic Corridors and Multi-Use Trail Network; Transit Network; Bicycle Trail Network; Land Use and Natural Cultural Features should be reviewed and revised in accordance with comments from the Open Space Division, the Open Space Advisory Committee, the Transit Department, and the National Park Service consistent with the responses from Plan Team.

17. The text pertaining to the requirement for undergrounding of electric and gas utilities and placement of utilities in setbacks should be revised to include PNM conditions consistent with the Plan Team's response.

#### **B. EPC Conditions.**

1. The City of Albuquerque commits to take action to seek to amend, supplement, or otherwise modify the following plans and programs in order to implement the Volcano Heights Sector Development Plan: Long Range Roadway System, Long Range High Capacity Transit System, Trails and



**Bikeways Plan, PGS Land Use Assumptions, Impact Fee Capital Improvement Program, establish consistent Adequate Public Facilities regulations as contained in Section VII Implementation, and others. This includes changing the classification of Paseo del Norte and Unser as identified in the Volcano Heights Sector Development Plan from a Transit Express Corridor (or other designation) to a Major Transit Corridor. A Major Transit Corridor should be extended along Paseo del Norte to Rainbow, rather than to Double Eagle Airport, in the Long Range High Capacity Transit System Plan. The character of development at Double Eagle should be considered prior to designating the transit service from Rainbow and Paseo del Norte to the Double Eagle Airport**

**2. The City of Albuquerque shall work with the Albuquerque Public Schools to amend the Albuquerque Public Schools Facilities Master Plan and adopt or amend other policies to incorporate the recommendations in Sector Plan Section VII Implementation, related to Adequate Public Facilities regulations and schools.**

**3. Amend Bill No. F/S R-455 that contains the Unser Boulevard Design Standards to be consistent with the Plan's recommendations.**

**4. Acquire, on a fast track basis, lands identified in the plan for public uses such for street rights-of-way, parks, open space, hydrology, and other uses. This includes acquiring the northern 1/3<sup>rd</sup> of the North Geologic Window, the western two-thirds of the State of New Mexico land, and the Paleo-Indian sites on the eastern one-third of this property.**

**5. Initiate actions to identify the Volcano Heights Town Center as a Major Activity Center as provided in the Comprehensive Plan.**

**6. Conduct a Preliminary Air Quality Impact Analysis as identified by the Environmental Health Department.**

**7. Amend the Volcano Heights Sector Development Plan to extend the provisions for neighborhood permit parking to areas adjacent to access points to the Petroglyph National Monument.**

8. Review and amend, if necessary, the Volcano Heights Sector Development Plan to insure consistency between the Bicycle Trails Network and the applicable street cross sections.

9. The City shall provide mechanisms for assisting in the assembly of multiple owners' lots or causing this to occur as a last resort when necessary to achieve the objectives of the Volcano Heights Sector Development Plan. The City should initially rely on private sector efforts to achieve the needed assembly of lots.

10. The North West Mesa Escarpment Plan regulations shall be reviewed, possibly updated, for inclusion and consistency with the Volcano Heights Section Development Plan regulations

11. The Volcano Heights Plan team should review the land use plan and consider creating a trail along the path from the Piedras Marcadas Arroyo through the Town Center to the North Geologic Window.

12. The maps and text pertaining to Open Space, Scenic Corridors and Multi-Use Trail Network; Transit Network; Bicycle Trail Network; Land Use and Natural Cultural Features shall be reviewed and revised in accordance with comments from the Open Space Division, the Open Space Advisory Committee, the Transit Department, and the National Park Service consistent with the responses from Plan Team.

13. The text pertaining to the requirement for undergrounding of electric and gas utilities and placement of utilities in setbacks shall be revised to include PNM conditions consistent the Plan Team's response.

### **Section 3.**

A. The Council accepts the findings and conditions of the Environmental Planning Commission with the following modifications.

1. [INSERT COUNCIL CHANGES IF ANY]

B. The Council finds that the attached *Volcano Heights Sector Development*[NEW VERSION TO BE ADDED] has incorporated these

conditions in an acceptable manner.

Section 4. The *Volcano Heights Sector Development Plan*, Attachment A hereto and made a part hereof, is adopted as a Rank Three Plan, as a regulatory guide to the implementation of the Albuquerque / Bernalillo County Comprehensive Plan, the West Side Strategic Plan, and the Northwest Mesa Escarpment Plan. The policy requirements of Executive Communication 35 with regard to development in the Volcano Heights area are superceded by the provisions of the *Volcano Heights Sector Development Plan*.

Section 5. All development and redevelopment activities within the area shall be guided and regulated by the provisions of the *Volcano Heights Sector Development Plan*.

Section 6. The Zone Map, adopted by Article 14-16-4-9 ROA 1994, is hereby amended to reflect the rezoning in the map shown in Attachment B hereto. [CURRENT ATTACHMENT AS SHOWN ON P 61 OF THE SECTOR PLAN TO BE UPDATED PRIOR TO ADOPTION]

Section 7. Changes to Associated Plan and Programs; Land Acquisitions Efforts.

A. Council supports amendments and modifications to the following plans consistent with the adopted *Volcano Heights Sector Development Plan*: Long Range Roadway System, Long Range High Capacity Transit System, Trails and Bikeways Plan, and No. F/S R-455 containing the Unser Boulevard Design Standards. Some of these changes will require changes to regional plans. In those cases, appropriate City staff are charged with incorporating these changes into the plans.

B. Council also authorizes staff action to coordinate with the Albuquerque Public Schools pursuant to recommendation in the Sector Plan and to make changes to the PGS Land Use Assumptions, Impact Fee Capital Improvement Program consistent with the adopted *Volcano Heights Sector Development Plan*.

C. The Council directs City staff to rapidly acquire lands identified in the

plan for public uses such for street rights-of-way, parks, open space, hydrology, and other uses. This includes acquiring the northern 1/3<sup>rd</sup> of the North Geologic Window, the western two-thirds of the State of New Mexico land, and the Paleo-Indian sites on the eastern one-third of this property

Section 8. Funding Mechanisms. The Council recognizes that the provisions of the adopted *Volcano Heights Sector Development* will require additional funding. The following mechanisms, among others as needed, shall be used to implement the *Volcano Heights Sector Development Plan*

A. A major source of funding will be development impact fees collected for open space, parks, and trails; storm drainage; and transportation. These dollar resources are largely unavailable at present. Impact fees are collected as building permits are issued, relatively late in the development process. The City will develop financing methods so that funds can be expended for land acquisition needed in advance of the collection of impact fees for these purposes and then reimbursed from these revenues.

B. State of New Mexico Grants

C. Grants from the Federal Government

D. City Open Space Trade Lands

E. City Capital Improvement Program

F. Special Assessment Districts

G. Private Infrastructure Districts

H. Normal dedications as provided in the City's development regulations

I. Tax Increment Finance Districts. The use of a TIF district is appropriate to provide incentives for parking structures within the Town Center, Village Centers, and elsewhere as recommended in the *Volcano Heights Sector Development Plan*.

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